

Fill in this information to identify the case:

Debtor 1 Samuel Fierro

Debtor 2 Annabelle S. Fierro aka Annabelle S. Fierro, aka Annabelle Fierro, aka Annabelle Sotelo Fierro  
(Spouse, if filing)

United States Bankruptcy Court for the: Western District of TX  
(State)

Case number 15-30321

Official Form 410S1

## Notice of Mortgage Payment Change

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

Name of creditor: Mariners Atlantic Portfolio, LLC, a California limited liability company

Court claim no. (if known): 9-1

Last 4 digits of any number you use to identify the debtor's account:

1 8 7 0

Date of payment change:

Must be at least 21 days after date of this notice

9 / 26 / 18

New total payment:

Principal, interest, and escrow, if any

\$ 1099.23

### Part 1: Escrow Account Payment Adjustment

1. Will there be a change in the debtor's escrow account payment?

☐ No

☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 233.90

New escrow payment: \$ 303.53

### Part 2: Mortgage Payment Adjustment

2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?

☒ No

☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_ %

New interest rate: \_\_\_\_\_ %

Current principal and interest payment: \$ \_\_\_\_\_

New principal and interest payment: \$ \_\_\_\_\_

### Part 3: Other Payment Change

3. Will there be a change in the debtor's mortgage payment for a reason not listed above?

☒ No

☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement. (Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_

New mortgage payment: \$ \_\_\_\_\_

Debtor 1

Samuel

Fierro

First Name

Middle Name

Last Name

Case number (if known) 15-30321

**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.

☐ I am the creditor.

☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

x Jessica M Watson  
Signature

Date 7.26.18

Print:

Jessica M Watson

First Name

Middle Name

Last Name

Title

Bankruptcy Asset Manager

Company

SN Servicing Corporation

Address

323 5th Street

Number

Street

Eureka

City

CA 95501

State

ZIP Code

Contact phone (800) 603 - 0836

Email bknotices@snsr.com

SN Servicing Corporation  
323 FIFTH STREET  
EUREKA, CA 95501  
For Inquiries: (800) 603-0836

Final

Analysis Date: July 12, 2018

SAMUEL FIERRO  
ANNABELLE S FIERRO  
11760 RIVERSTONE DR  
EL PASO TX 79936

Loan:

Property Address:  
11760 RIVERSTONE DRIVE  
EL PASO, TX 79936

### Annual Escrow Account Disclosure Statement Account History

This is a statement of actual activity in your escrow account from Sept 2017 to Aug 2018. Last year's anticipated activity (payments to and from your escrow account) is next to the actual activity.

Payment Information			Effective Sep 26, 2018:	
Principal & Interest Pmt:	Current:	795.70	795.70	
Escrow Payment:	233.90	303.53		
Other Funds Payment:	0.00	0.00		
Assistance Payment (-):	0.00	0.00		
Reserve Acct Payment:	0.00	0.00		
Total Payment:	\$1,029.60	\$1,099.23		

Escrow Balance Calculation			Aug 26, 2018	
Due Date:				
Escrow Balance:		484.54		
Anticipated Pmts to Escrow:		233.90		
Anticipated Pmts from Escrow (-):		0.00		
Anticipated Escrow Balance:		\$718.44		

Date	Payments to Escrow		Payments From Escrow		Description	Escrow Balance	
	Anticipated	Actual	Anticipated	Actual		Required	Actual
					Starting Balance	2,105.14	(2,720.15)
Sep 2017	233.90	461.75			*	2,339.04	(2,258.40)
Sep 2017		398.42			* Escrow Only Payment	2,339.04	(1,859.98)
Oct 2017	233.90	233.90				2,572.94	(1,626.08)
Oct 2017		199.21			* Escrow Only Payment	2,572.94	(1,426.87)
Nov 2017	233.90	467.80			*	2,806.84	(959.07)
Dec 2017	233.90				*	3,040.74	(959.07)
Dec 2017				2,177.50	* City/Town Tax	3,040.74	(3,136.57)
Jan 2018	233.90	467.80	686.65	732.79	* Homeowners Policy	2,587.99	(3,401.56)
Jan 2018			2,120.18		* City/Town Tax	467.81	(3,401.56)
Feb 2018	233.90	233.90				701.71	(3,167.66)
Mar 2018	233.90	467.80			*	935.61	(2,699.86)
Apr 2018	233.90	233.90				1,169.51	(2,465.96)
Apr 2018		199.20			* Escrow Only Payment	1,169.51	(2,266.76)
May 2018	233.90	(233.90)			*	1,403.41	(2,500.66)
May 2018		928.55			* Escrow Only Payment	1,403.41	(1,572.11)
May 2018		1,572.11			* Escrow Only Payment	1,403.41	0.00
Jun 2018	233.90	233.90				1,637.31	233.90
Jun 2018		16.74			* Escrow Only Payment	1,637.31	250.64
Jul 2018	233.90	233.90				1,871.21	484.54
Aug 2018	233.90				*	2,105.11	484.54
					Anticipated Transactions	2,105.11	484.54
Aug 2018		233.90					718.44
	\$2,806.80	\$6,348.88	\$2,806.83	\$2,910.29			

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount. If you want a further explanation, please call our toll-free number.

Last year, we anticipated that payments from your account would be made during this period equaling \$2,806.83. Under Federal law, your lowest monthly balance should not have exceeded \$467.81 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

This shortage may be collected from you over a period of 12 months or more unless the shortage is less than 1 month's deposit, in which case we have the additional option of requesting payment within 30 days. We have decided to collect it over 24 months.

Analysis Date: July 12, 2018

SAMUEL FIERRO

Loan:

**Annual Escrow Account Disclosure Statement  
Projections for Coming Year**

This is an estimate of activity in your escrow account during the coming year based on payments anticipated to be made to and from your account.

Date	Anticipated Payments		Description	Escrow Balance	
	To Escrow	From Escrow		Anticipated	Required
			Starting Balance	718.44	2,182.74
Sep 2018	242.52			960.96	2,425.26
Oct 2018	242.52			1,203.48	2,667.78
Nov 2018	242.52			1,446.00	2,910.30
Dec 2018	242.52			1,688.52	3,152.82
Jan 2019	242.52	732.79	Homeowners Policy	1,198.25	2,662.55
Jan 2019		2,177.50	City/Town Tax	(979.25)	485.05
Feb 2019	242.52			(736.73)	727.57
Mar 2019	242.52			(494.21)	970.09
Apr 2019	242.52			(251.69)	1,212.61
May 2019	242.52			(9.17)	1,455.13
Jun 2019	242.52			233.35	1,697.65
Jul 2019	242.52			475.87	1,940.17
Aug 2019	242.52			718.39	2,182.69
	<u>\$2,910.24</u>	<u>\$2,910.29</u>			

(Please keep this statement for comparison with the actual activity in your account at the end of the escrow accounting computation year.)

Your escrow balance contains a cushion of \$485.05. A cushion is an additional amount of funds held in your escrow balance to prevent the balance from becoming overdrawn when an increase in the disbursement amount occurs. Under Federal law, your lowest monthly balance should not exceed \$485.05 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Your ending balance from the last month of the account history (escrow balance anticipated) is \$718.44. Your starting balance (escrow balance required) according to this analysis should be \$2,182.74. This means you have a shortage of \$1,464.30. This shortage may be collected from you over a period of 12 months or more unless the shortage is less than 1 month's deposit, in which case we have the additional option of requesting payment within 30 days. We have decided to collect it over 24 months.

We anticipate the total of your coming year bills to be \$2,910.29. We divide that amount by the number of payments expected during the coming year to obtain your escrow payment.

**New Escrow Payment Calculation**

Unadjusted Escrow Payment	242.52
Surplus Amount:	0.00
Shortage Amount:	61.01
Rounding Adjustment Amount:	0.00
Escrow Payment:	<u>\$303.53</u>

**Paying the shortage:** If your shortage is paid in full, your new monthly payment will be \$1,038.22 (calculated by subtracting the Shortage Amount to the left and rounding, if applicable). Paying the shortage does not guarantee that your payment will remain the same, as your tax or insurance bills may have changed. If you would like to pay the shortage now, please pay the entire amount of the shortage before the effective date of your new payment. To ensure that the funds are posted to your account correctly, please notify your asset manager that you are paying the shortage.

**NOTICE OF RIGHT TO CANCEL PRIVATE MORTGAGE INSURANCE:** If you currently pay private mortgage insurance premiums, you may have the right to cancel the insurance. In most cases, you have the right to cancel private mortgage insurance if the principal balance of your loan is 80 percent or less of the current fair market appraised value of your home, and you have a good payment history on your loan. If you want to learn whether you are eligible to cancel this insurance, please contact us at 323 Fifth Street, Eureka, Ca 95501 or 800-603-0836.

1 Michelle R. Ghidotti-Gonsalves, Esq. (SBN 232837)

2 Jennifer R. Bergh, Esq. (SBN 305219)

3 Kristin A. Zilberstein, Esq. (SBN 200041)

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10 Attorney for Creditor

11 Fierro Mariners Atlantic Portfolio, LLC, a California limited liability company

12 UNITED STATES BANKRUPTCY COURT

13 WESTERN DISTRICT OF TEXAS – EL PASO DIVISION

14 In Re:

) CASE NO.: 15-30321-hcm

15 Samuel Fierro and Annabell S. Fierro,

) CHAPTER 13

16 Debtors.

) **CERTIFICATE OF SERVICE**

17 **CERTIFICATE OF SERVICE**

18 I am employed in the County of Orange, State of California. I am over the age of

19 eighteen and not a party to the within action. My business address is: 1920 Old Tustin

20 Avenue, Santa Ana, CA 92705.

21 I am readily familiar with the business's practice for collection and processing of  
22 correspondence for mailing with the United States Postal Service; such correspondence would  
23 be deposited with the United States Postal Service the same day of deposit in the ordinary  
24 course of business.

On July 28, 2018 I served the following documents described as:

- NOTICE OF MORTGAGE PAYMENT CHANGE**

on the interested parties in this action by placing a true and correct copy thereof in a sealed envelope addressed as follows:

(Via United States Mail)

**Debtor**

Samuel Fierro  
11760 Riverstone Dr.  
El Paso, TX 79936

Annabelle S. Fierro  
11760 Riverstone Dr.  
El Paso, TX 79936

**Debtor's Counsel**

Miguel Alejandro Flores  
Tanzy & Borrego Law Offices  
2610 Montana  
El Paso, TX 79903

Miguel Flores2  
Tanzy & Borrego Law Offices  
2610 Montana Avenue  
El Paso, TX 79903

**Chapter 13 Trustee**

Stuart C. Cox  
El Paso Chapter 13 Trustee  
1760 N. Lee Trevino Dr.  
El Paso, TX 79936

xx (By First Class Mail) At my business address, I placed such envelope for deposit with the United States Postal Service by placing them for collection and mailing on that date following ordinary business practices.

\_\_\_\_ Via Electronic Mail pursuant to the requirements of the Local Bankruptcy Rules of the Eastern District of California

xx (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on July 28 2018 at Santa Ana, California

/s/ Ariel Del Pinto  
Ariel Del Pinto